

CALENDAR ITEM

C66

A 35

06/29/15

PRC 5208.9

S 17

R. Collins

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

San Simeon Community Services District
111 Pico Avenue
San Simeon, CA 93452

AREA, LAND TYPE, AND LOCATION:

0.341 acre, more or less, of sovereign land in the Pacific Ocean, offshore from the town of San Simeon, San Luis Obispo County.

AUTHORIZED USE:

Use and maintenance of an existing, 8-inch diameter ocean outfall pipeline.

LEASE TERM:

20 years, beginning January 1, 2014.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

The lease requires annual inspections and an integrity assessment every five years.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On December 15, 1976, the Commission authorized a 49-year General Lease – Public Agency Permit, Lease No. PRC 5208.9, to the San Simeon Acres Community Services District, beginning January 1, 1965, for the continued use and maintenance of an 840-foot long, 8-inch ocean outfall pipeline. The Lessee's name was subsequently changed to the San Simeon Community Services District. The permit expired December 31, 2013, and the Applicant is now applying for a General Lease – Public Agency Use.

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3. Staff of the Commission has reviewed the most recent Annual Outfall Inspection Report conducted on September 6, 2014, and finds the outfall integrity acceptable.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to San Simeon Community Services District beginning January 1, 2014, for a term of 20 years, for use and maintenance of an 8-inch diameter ocean

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outfall pipeline as described on Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof; consideration being the public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

EXHIBIT A

PRC 5208.9

LAND DESCRIPTION

A 20 feet wide strip of tide and submerged land situated in the bed of the Pacific Ocean, lying adjacent to Rancho San Simeon patented April 1, 1865, County of San Luis Obispo, State of California and lying 10 feet on each side of the following described centerline:

BEGINNING at a point on the centerline of an existing 8 inch outfall pipeline having a geographic coordinate of $36^{\circ} 36' 41.95''$ North Latitude, $121^{\circ} 08' 44.92''$ West Longitude; thence along said centerline South $66^{\circ} 07' 38''$ West, 749.40 feet to a point of TERMINUS having a geographic coordinate of $35^{\circ} 36' 38.74''$ North Latitude, $121^{\circ} 08' 53.10''$ West Longitude.

The sidelines of said strip to be lengthened or shortened as to begin on the ordinary high water mark of said Pacific Ocean and to terminate at a line perpendicular to the terminus of said centerline.

EXCEPTING THEREFROM any portion located landward of ordinary high water mark of the Pacific Ocean.

END OF DESCRIPTION

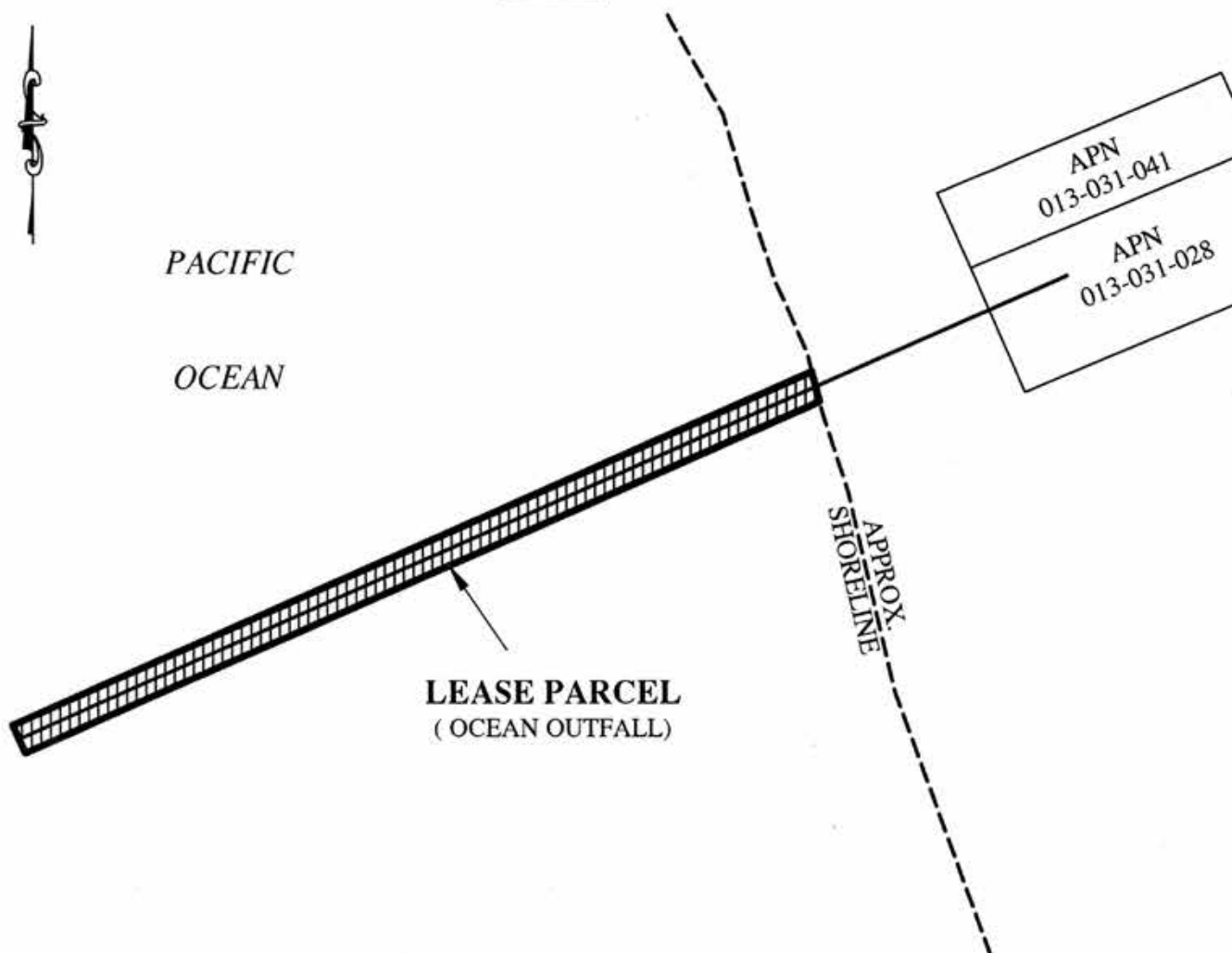
Geographic coordinates provided by the San Simeon Community Services District.

Prepared 04/27/15 by the California State Lands Commission Boundary Unit



NO SCALE

SITE



9245 BALBOA AVENUE, SAN SIMEON

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 5208.9
SAN SIMEON COMMUNITY
SERVICES DISTRICT
APNs 013-031-028 & -041
GENERAL LEASE -
PUBLIC AGENCY USE
SAN LUIS OBISPO COUNTY



TS 04/27/15